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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,986	03/07/2001	Rose Mary Farenden	200-1765	6663
28395	7590	05/04/2006	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			LOFTIS, JOHNNA RONEE	
			ART UNIT	PAPER NUMBER
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/800,986
Filing Date: March 07, 2001
Appellant(s): FARENDEN, ROSE MARY

MAILED

MAY 04 2006

GROUP 3600

John S. LeRoy
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3/31/06 appealing from the Office action mailed 10/13/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6701313	Smith	3-2004
6289340	Puram et al	9-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 6-8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Puram et al, US 6,289,340.

As per **claim 1**, Smith teaches receiving input defining a plurality of employment requisitions wherein each employment requisition has associated candidate matching criteria (column 15, lines 54-56 – the job provider generates a job profile); host an interactive interface for presenting a plurality of candidates with an employment skills questionnaire (column 16, lines 16-26 – the job seeker is presented a questionnaire based on the job); assess each candidate based on a comparison between each candidate's employment skills and the candidate matching criteria (column 16, lines 23-26 – once the questionnaire is completed it is determined if the candidate passed or meets the criteria); host an interactive interface for allocating the employer-hosted recruiting event invitations to candidates wherein the invitations are allocated based on the assessment (column 16, lines 30-43 – upon review of the assessment the job provider invites the job seeker to an interview); host an interface for receiving an assessment of each candidate attending the employer-hosted recruiting event (column 16, lines 56-58 – the job provider can

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access the job seekers details for use in the interview); host an interface for presenting each candidate's assessment in real-time during the employer-hosted recruiting event (column 16, lines 56-58 – while the interview is taking place the job provider can take notes on an interview notes screen and can also access the job seeker details); and host an interface for selecting candidates for hire based on the assessment wherein the system automatically sends selected candidates an offer letter in an electronic format prior to the conclusion of the employer-hosted recruiting event (column 16, lines 58-65 – provided the job seeker is suitable for the job, a job offer screen is displayed for the job provider to enter details which are transmitted to the job seeker through a web server). Smith, however, does not explicitly teach calculating a value indicating how well the candidate's employment skills match the candidate matching criteria, as compared to other candidates, and displaying that value. Puram et al teaches calculating a percentage reflecting how well the candidate's skills match the max score and also offers comparison of each candidate skill scores and percentages in table format (column 7, line 50 – column 8, line 11 and figures 11a and 11b). It would have been obvious to one of ordinary skill in the art at the time of the invention to collect the results from the questionnaire in Smith and perform the analysis as taught by Puram et al in order to produce a more comprehensive comparison between candidates in order to select the best candidate. By incorporating the calculation of Puram et al into Smith the system would be more user friendly in that the result would be a more efficient comparison of candidates thereby resulting in easier selection of the best candidate.

As per **claim 3**, the combination of Smith and Puram et al teaches each candidate profile additionally comprises an assessment based on the questionnaire (column 16, lines 16-21 – an

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interface is provided to collect candidate information; fig 3, questionnaire includes skills information), but does not explicitly teach an assessment of the candidate's leadership behaviors. It is old and well known to one of ordinary skill in the art of recruiting that skills such as leadership, among others, are gathered during the collecting of candidate history information. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination to specify the inclusion of collecting leadership skills depending on the position opening. For example, if the position opening were for a team leader, manager, etc., it would be crucial to the selection process to collect candidate information pertaining to leadership qualities, experience and/or skills for better selection of an appropriate candidate for the job.

As per **claim 4**, Smith teaches hosting an interface for defining and scheduling the employer-hosted recruiting events (column 16, lines 29-43 – the job provider fills in details of the interview on an interview request screen which is transmitted by email to the job seeker who then indicates acceptance or declination of the interview).

As per **claim 6**, Smith teaches the assessment comprises an assessment of a candidate's interview performance (column 16, lines 56-58 – while the interview is taking place the job provider can take notes on an interview notes screen – inherently assessing the job seeker's interview).

As per **claim 7**, the combination of Smith and Puram et al teaches assessing the candidate during the interview but does not explicitly teach the assessment comprises an assessment of a candidate's performance during a group observation exercise. However it is old and well known to use group interviews or observation exercises to evaluate candidates for a job position to observe group interaction and/or participation and how the candidates behave or stand out among

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their peers. Since the combination teaches collecting information during an interview, and given the well known benefits of group observations described above, it would have been obvious to one of ordinary skill in the art at the time of the invention to include an assessment of the group observation exercises in selecting a candidate because the group observation can indicate if a candidate interacts well with existing as well as potential employees thereby identifying the best candidates.

As per **claim 8**, the combination of Smith and Puram et al teaches interviews for assessing the candidate, but does not explicitly teach the assessment comprises a placement recommendation for the candidate wherein the recommendation is based on the candidate's discussion with a mentor. However, it is old and well known to recommend a candidate for a position based on his or her interactions with an existing employee. The combination teaches using interviewing to make the selection therefore it would have been obvious to have the candidate interview with an employee that would serve as a mentor to determine if the candidate would be a good fit in the organization. This would lead to a more confident selection of a candidate.

As per **claim 11**, the combination of Smith and Puram et al teaches a recruiting web page (column 8, lines 15-20), but does not explicitly teach defining a plurality of university-specific recruiting web pages wherein each page comprises information for candidates regarding recruiters and on-campus recruiting activities at their university. However it is old and well known for an employer to include a recruiting event schedule for colleges and universities on their career or job opening web pages. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination to include a place for job candidates

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who may be enrolled in college to search for upcoming local recruiting events as is done on most large company websites, this way the potential job candidates would have a forum to meet with employers to determine if the company would be right for them. Alternatively it would act as a screening tool for the employer to use on interested students.

As per **claim 12**, the combination of Smith and Puram et al does not explicitly teach defining hiring objectives wherein the hiring objectives comprise a target number of hires and diversity initiatives. However it is old and well known in the art of recruiting to specify a target number of hires and diversity initiatives. It would have been obvious to specify a target number of hires because it is well known that a company cannot hire every candidate available. It is well known that for any given open position that there are a specific number of spots to fill. As for diversity initiatives, it is old and well known that more and more employers are striving to fulfill diversity initiatives to meet the equal employment opportunity laws. It would have been obvious to incorporate both of these limitations into the combination to have a more efficient hiring process and to abide by federal law.

As per **claim 13**, the combination of Smith and Puram et al teaches specifying employment criteria but does not explicitly teach defining hiring objectives presents a recruiting status report indicating the degree to which the hiring objectives have been met. However it is old and well known in the art of recruiting to specify hiring objectives and indicate if the objectives have been met. It would have been obvious to one of ordinary skill in the art at the time of the invention to specify the degree to which the hiring objectives have been met as an indicator of how many candidates should be screened or interviewed or selected. This makes the

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hiring process more efficient since the employer would be updated as to the status of hiring objectives and would thereby only continue the hiring process for as long as needed.

(10) Response to Argument

Appellant argues the Smith reference does not teach a comprehensive recruiting system for assessing candidates in real time during an employer-hosted recruiting event wherein an interactive interface is provided for receiving assessments and another is provided for presenting these assessments so that a hiring determining can be made based on the received assessment in real time. However, Examiner submits that for examination purposes the employer-hosted recruiting event has been equated to an interview. Smith teaches an interface wherein the interviewer can make notes regarding the interview. Since an interview is essentially an assessment of ones capabilities or fit for a position, it is determined that the notes recorded during the interview are an assessment of the candidate. As for Appellants argument that Smith does not teach an interface for presenting the assessments, Examiner submits that the notes recorded on the interview notes screen are processed in real time so that they are presented on the interview notes screen. Furthermore, with respect to Appellants arguments that the instant invention enables multiple specialists to participate in the assessment/hiring process in real time during a recruiting event – not just an interview, Examiner notes that these features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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With respect to Appellants comments regarding claims 7-8 and 11-13 and citing MPEP section 2144.03 C, is it noted that the official notice statements originally made in the office action mailed May 31, 2005, were not properly traversed in the response submitted August 4, 2005, thereby the determination has been made that the limitations under Official Notice are taken as admitted prior art.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

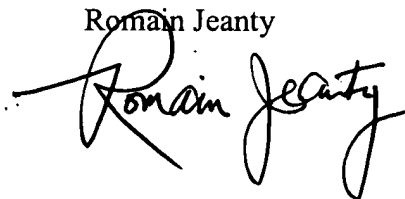
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